

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

New claim 72 has been added and reads on the elected invention.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-9, 49-54, 62-65, and 72 are now pending in this application. Claims 62-65 have been withdrawn from consideration.

Rejections under 35 U.S.C. § 112

Claims 1-9, 53, and 54 are rejected under 35 U.S.C. § 112, as allegedly being indefinite. These rejections are respectfully traversed.

The Office argues on page 3 of the Office Action that the language “W-V shaped profile” is indefinite because it is unclear whether a grooved portion has a W profile, a V profile, or a combination of both.

Although Applicant does not concede or acquiesce to this rejection, the claims have been amended to no longer recite this language, rendering this rejection moot. However, Applicant reserves the right to amend the claims to include this feature. The disclosure of Applicant’s application provides support for this feature and one of ordinary skill in the art would understand the meaning of this language of the claims and understand the scope of claims that include this feature. In addition, such a feature would not include a range within a range because such a feature would recite a profile that includes both a W shape and a V shape, not either.

Claims 53 and 54 are also rejected as allegedly being indefinite. Applicant respectfully submits that the amendments to the claims render the rejections of claims 53 and 54 moot.

Reconsideration and withdrawal of these rejections is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4-6, 49-52, and 54 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,178,582 to Maji *et al.* (hereafter “Maji”). This rejection is respectfully traversed.

Maji discloses an electromagnetic powder coupling device that includes a rotating cylinder 5, a driving shaft 4, and a coil 8. See Maji at col. 1, lines 25-34. The cylinder can include a shielding ring 35', 5' inserted at an axial central part of the cylinder. See Maji at col. 5, lines 1-8, and Figures 3 and 5.

The Office argues on pages 4-6 of the Office Action that the cylinder 5 shown in Figure 5 of Maji provides a W-V shaped profile because the ring 5' shown in Figure 5 of Maji provides such a profile.

However, Maji does not disclose a rotor that includes a grooved portion which forms W-shaped profile, wherein a portion of the grooved portion which forms the W-shaped profile is formed by a single piece, as recited in amended claims 1, 2, 49, and 52.

Although Applicant does not agree that the cylinder 5 and ring 5' of Maji provide a W-V shaped profile, or a W-shaped profile, the cylinder 5 and ring 5' do not provide a grooved portion which forms a W-shaped profile with only a single piece, as recited in claims 1, 2, 49, and 52.

As shown on pages 7 and 8 of the Office Action, the Office relies on the separate pieces of the cylinder 5 and ring 5' of Maji to provide a shaped profile in the device of Maji. However, the cylinder 5 and ring 5' do not form a W-shaped profile with only a single piece, as recited in claims 1, 2, 49, and 52, as shown in the annotated drawings provided on pages 7

and 8 of the Office Action. Instead, the cylinder 5 and ring 5' provide a profile that is formed by at least two pieces, namely the cylinder 5 and ring 5'.

As discussed in paragraph 0054 of Applicant's specification, providing a grooved portion in a rotor advantageously minimizes or prevents shunting of a magnetic field along the rotor and minimizes a path for magnetic flux. Further, the grooves formed in the rotor can be configured to be readily manufactured, as discussed in paragraph 0054 of Applicant's specification.

For at least the reasons discussed above, Maji does not anticipate claims 1, 2, 4-6, 49-52, and 54 because Maji does not disclose all of the features of claims 1, 2, 49, and 52. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 49 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,102,177 to Moser *et al.* (hereafter "Moser"). This rejection is respectfully traversed.

Moser discloses a viscous clutch assembly that includes a rotor assembly 14 that in turn includes a hub 36 and a rotor 38. See Moser at col. 2, lines 49-50, and Figure 1. Moser discloses that coil rings 84 of the clutch assembly define a gap 94 which is filled with epoxy and rotor 38 includes a second gap 96. See Moser at col. 3, lines 38-42, and Figure 1.

However, the device of Moser does not include a rotor that includes a grooved portion which forms W-shaped profile, wherein a portion of the grooved portion which forms the W-shaped profile is formed by a single piece, as recited in claim 49.

As shown in the drawings of Moser, the rotor 38 does not include a grooved portion which forms W-shaped profile, as recited in claim 49. Nor does Moser disclose or suggest that such a W-shaped profile would be formed by a single piece, as recited in claim 49. Moser is silent in regard to these features.

For at least the reasons discussed above, Moser does not anticipate claim 49. Reconsideration and withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 3 and 53 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Maji. This rejection is respectfully traversed. Claims 3 and 53 depend from claims 2 and 52. As discussed above, Maji does not disclose or suggest all of the features of these claims and therefore does not render claims 3 and 53 to be unpatentable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Maji. This rejection is respectfully traversed. Claims 7 and 8 depend from claim 2. As discussed above, Maji does not disclose or suggest all of the features of claim 2 and therefore does not render claims 7 and 8 to be unpatentable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-9 and 49-54 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Moser or U.S. Patent No. 6,585,092 to Smith *et al.* (hereafter “Smith”) in view of Maji. This rejection is respectfully traversed.

Applicant notes that claim 49 was also rejected as allegedly being anticipated by Moser. Therefore, Applicant respectfully submits that this rejection does not include claim 49.

As discussed above in regard to claim 49, Moser does not disclose or suggest a rotor that includes a grooved portion which forms W-shaped profile, wherein a portion of the grooved portion which forms the W-shaped profile is formed by a single piece, as recited in claims 1, 2, 49, and 52.

Smith also fails to disclose or suggest these features. Smith discloses a fluid fan drive that includes a rotor 18. See Smith at col. 3, lines 3-20. However, as shown in the drawings of Smith, the rotor 18 does not include a grooved portion which forms W-shaped profile, as recited in claims 1, 2, 49, and 52. Nor does Smith disclose or suggest that such a W-shaped profile is formed by a single piece, as recited in claims 1, 2, 49, and 52.

Maji fails to remedy the deficiencies of Moser and Smith because Maji also fails to disclose or suggest a rotor that includes a grooved portion which forms W-shaped profile, wherein a portion of the grooved portion which forms the W-shaped profile is formed by a single piece, as recited in claims 1, 2, 49, and 52.

For at least the reasons discussed above, the combination of Moser or Smith with Maji does not render claims 1-9 and 49-54 to be unpatentable because both combinations do not disclose or suggest all of the features of claims 1, 2, 49, and 52. Reconsideration and withdrawal of this rejection is respectfully requested.

New Claim

New claim 72 has been added. Claim 72 depends from claim 2 and is allowable over the prior art for at least the reasons discussed above and for its additional recitations.

Conclusion

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for

such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 22, 2010

By Kevin L. McHenry

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4011
Facsimile: (202) 672-5399

Matthew A. Smith
Attorney for Applicant
Registration No. 49,003

Kevin L. McHenry
Attorney for Applicant
Registration No. 62,582